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# Legislation on the heritage protection and restoration of antiquity. The case of the Acropolis of Athens in the nineteenth century

Chiara Mannoni

## Abstract

The analysis of the restoration carried out on the Acropolis of Athens between 1834 and 1875 offers the opportunity to evaluate the inferences of law and artistic taste on the reconstruction of one of the most famous monuments in the world. The ethical and aesthetic ambiguities of this early work are outlined through the study of Leo von Klenze's *memoranda* on the refurbishment of the Acropolis temples, and the first laws on the protection of the Greek heritage issued by the Bavarian rulers in 1834 and 1837. In particular, the discussion will consider Klenze's guidelines in relation to his conceptual inconsistencies about Romanticism and Neoclassicism, and within the implications – both juridical and aesthetic – of the edicts issued on the safeguard of antiquity in Greece. As will be argued, this early restoration not only would transform the Acropolis historical profile, but also affect the later refurbishment completed on the site in the twentieth century.

## Keywords

Restoration of antiquity, Heritage protection, Heritage legislation, Acropolis of Athens, 19<sup>th</sup> century.

## Introduction

The works of restoration carried out on the Acropolis of Athens between 1834 and 1875 should be understood in connection to the liberation of Greece from the four-century long Ottoman domination and the subsequent establishment of the Bavarian court to its government in 1833. The first refurbishment of the ancient temples of the Acropolis was inaugurated in accordance with the guidelines provided in the so-called *memoranda* on the preservation of the Greek monuments, which were submitted by the renowned architect Leo von Klenze to the Bavarian king Otto von Wittelsbach soon after they had arrived both to Athens. As early as 1834, the Bavarian regent and professor of law Georg Ludwig von Maurer also introduced the first modern legislative procedures to administer the new-born independent Greece, encompassing the first regulation on the protection of the local heritage – the *Edict on the scientific and artistic collections of the State*.

An interpretation of both Klenze's *memoranda* and Maurer's law of 1834 – including its following appendix of 1837 – offers the opportunity to reassess substantial ethical and aesthetic questions related to the protection of the ancient heritage in nineteenth-century Athens. The crucial inconsistencies which characterised the first restoration of the Acropolis temples are explained on the background of the political disagreements of the Greek nationalists and the Bavarian officers working within the local archaeological administration. As the understanding of the original documents implies also the analysis of the nineteenth-century artistic scholarship and aesthetic taste, both the *memoranda* and the legislative texts are connected to the development of the Neoclassic and Romantic concepts in these years. Further attention will be on the implications of this earlier restoration on the later works carried out on the Acropolis in the twentieth century. The questions that gradually take shape in this framework relate specifically to the meaning, the value and the character of these 'refashioned' and 'reconstructed' temples in their pertinent landscape. Concepts that are relevant both to current art history and legal knowledge – such as 'originality' and 'authenticity' – are ultimately connected to the ethical and aesthetic contradictions which have characterised the extensive renewals of the Acropolis monuments in the last two centuries.

## Greek state affairs and the Acropolis in 1830s

Athens and the greater part of Greece – considering the current geography – were declared independent from the Ottoman Empire in 1832 after a dramatic war of liberation. The Bavarian king Otto von Wittelsbach (1815-1867), appointed to govern the new-born independent state, arrived in Greece the next year together with a transitional Regency, finding the city of Athens devastated and in complete anarchy.<sup>1</sup> Dead animals and bodies were everywhere.

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<sup>1</sup> Seidl 1981.

Equally ravaged were the ancient monuments: uncontrolled removals and massive exportations of antiquities had despoiled the most renowned classical sites, such as the Acropolis, since the late 1700s; vandalism and the taking of statues, especially as souvenirs, was still rife.<sup>2</sup> Turks in particular had made improper use of sculpted marbles to build houses and unauthorized constructions all over temple sites.<sup>3</sup> Moreover, corrupt officials used to condone illicit trade and exportations on a daily base.<sup>4</sup> It was immediately clear to the Bavarian court that a solution to stop the loss of antiquities was not only necessary but extremely urgent, in line with the purpose to match the entire administrative and infrastructural system of Greece to the one of a modern European country.

In 1833, two fundamental key figures arrived in Greece together with the Bavarian king: they were Georg Ludwig von Maurer (1790-1872) and Leo von Klenze (1784-1864). As already emerged in the introduction, the first was the royal regent and legal historian who wrote the law which established the earliest system of heritage administration in Greece. His *Edict on the scientific and artistic collections of the State* not only defined one of the most original and inclusive legal structures to protect antiquities from exportation and destruction in Europe, but also launched a coordinated model to administer museums and collections throughout Greece.<sup>5</sup> At the same time, this law defined the criteria to follow during the activities of excavation and supervision of the archaeological areas as well.

The second dignitary was the prominent neoclassical architect who was assigned the responsibility to define a plan to save, clear, restore and rearrange the archaeological sites in Athens and the whole of the country. In September 1834, just three months after the publication of Maurer's edict, Klenze submitted four crucial *memoranda* to the king, which included detailed instructions to restore and remodel ancient sites and monuments, particularly those in the capital, according to very systematised and defined criteria of conservation.<sup>6</sup> The second of these despatches was dedicated specifically to the procedures to clean and renovate the ancient temples of the Acropolis.

Before analysing these documents in detail, it should be observed that the Acropolis of 1833, just after the wars of liberation from the Ottoman Empire, is not at all comparable to the Acropolis we can visit in Athens today. Apart from the consequences of the war mentioned above, it should also be considered that more than 2000 years had passed between the fifth century BC, when the temples were built, and 1834, when the Bavarian court was established in Athens. At the beginning of the nineteenth century, the Acropolis was a confused pastiche of later structures, architectures of different styles and epochs, shacks of the Ottoman Kasbah – everything over the ancient classical temples.<sup>7</sup> At that time, therefore, the

<sup>2</sup> There are several volumes on the removals of antiquities from Greece carried out between the eighteenth and early nineteenth century. I suggest: Braken 1975; Hamilakis 2007; Simopoulos 1993; Tolia 1996.

<sup>3</sup> Pavan 1983.

<sup>4</sup> About 1855.

<sup>5</sup> Mannoni 2021; Voudouri 2010. See also: Pantazopoulos 1998.

<sup>6</sup> Mallouchou-Tufano 1998; Papageorgiu-Venetas 1994.

<sup>7</sup> Pavan 1983; Tournikiotis 1994.

Acropolis was not what the European neoclassical scholars and antiquarians dreamed of and studied in books and manuals on ancient sources.

Nineteenth-century paintings and photographs offer a reliable picture of the Acropolis in these years. First of all, the ancient monumental stairway entrance, the Propylaea, was completely hidden by a fortified Renaissance palace, which was built by the Florentine family Acciaiuoli in the early fifteenth century; the castle included medieval pavements and Ottoman vaults as well. An enormous Frankish Tower, built toward the end of the fourteenth century, was also standing on the right-hand corner of the entrance [fig. 1]. The Erechtheion, the classical temple dedicated to Athena and Poseidon, with the so-called Caryatid porch, was taken over by both an Ottoman harem and a storehouse, while the pavements had been laid down by the Christian crusaders in the eleventh and twelfth century [fig. 2]. The Parthenon, the main temple dedicated to the goddess Athena Parthenos, was deeply altered as well: first converted into a Christian church with a byzantine apse, then into a Muslim mosque with a minaret and Arabic frescoes, it was also badly disembowelled by a Venetian bomb at the end of the seventeenth century. After that, a further small mosque had been built in the middle of the collapsed peristyle [fig. 3]. This temple, furthermore, suffered the loss of the most part of the decorative apparatuses, particularly friezes, pediments and metopes, which had been removed and transferred to London by Lord Elgin in 1811. Finally, the small precious ionic Temple of Athena Nike was not even in its original place anymore: it had been completely removed and the material reused in the bastions next to the Propylaea at the end of the seventeenth century. Last but not least, the entire hill was covered by uncountable small houses and huts built during the four-century long Ottoman occupation [fig. 4].

## The edit on the heritage protection and the first restoration

In 1834, as already mentioned, Klenze provided clear and systematic guidelines to refurbish the Acropolis temples according to the aesthetic inclinations of the classically-devoted Bavarian court. A transcription of his *memorandum* is included in his book *Aphoristische Bemerkungen gesammelt auf seiner Reise nach Griechenland* of 1838.<sup>8</sup> Following the despatch, it emerges that Klenze instructed, first of all, the removal and clearance of all the structures added during the so-called ‘barbarian epochs’, because, he argued, ‘they don’t have any archaeological, architectonical or artistic value’.<sup>9</sup> Subsequently he recommended to proceed with the restoration of the Parthenon. In this phase, all the scattered fragments and marbles belonging to this ancient temple had to be reinstated in positions as closed as possible the original; on the other hand, in the case that some fragments could not be reintegrated, they

<sup>8</sup> Klenze 1838, 392-395.

<sup>9</sup> ‘Barbarischen Zeit’; ‘kein archäologisches, konstruktives oder malerisches Interesse gewähren’. Klenze 1838, 393.

should be removed and sold. Nonetheless, he also defined a third category of marbles: those which were impossible to reintegrate but were still good for their ‘architectonic form, profile, ornament, decoration, work of plastic or painting’.<sup>10</sup> The pieces that fitted this category had to be placed ‘in a functional and picturesque manner’ around the temple, in order ‘to guarantee a picturesque character to the site, that corresponds to the nature of the ruin’.<sup>11</sup> Thereafter, he prescribed the same procedures for restoring all the other temples in the Acropolis.

In order to contextualise correctly both this *memorandum* and its implementation on the Acropolis in the following years, two fundamental elements should be considered: first, what Leo von Klenze intended by the ‘barbarian’ monuments of the ‘barbarian epochs’, which he planned to remove; and second, what he intended by keeping some marbles with an evident aesthetic and artistic value to be used in a ‘picturesque manner’ on the site. An evaluation of both the relevant documentation and the artistic and aesthetic concepts that were preponderant in Europe – and particularly in central Europe – at that time, makes clear that Klenze followed a specific hierarchical classification when evaluating, on the one hand, which structures deserved to be protected and, on the other hand, which structures could be removed. At the very bottom of his concerns were the Ottoman buildings and monuments, which were ‘barbarian’ not only because they represented the four-century long tyrannical occupation of Athens, but also because they were completely unintelligible and meaningless to the neoclassical aesthetic culture of the Bavarian entourage. Next on his list of interests were some structures built during the Venetian and the Frankish occupation of Greece. It is noteworthy that Klenze explicitly recommended to keep the huge Frankish Tower and some bastions in front of the Propylaea. As he did not advocate that all the Venetian and Frankish monuments deserved to be kept, it can be affirmed that he was singling out for preservation those that he believed had evident aesthetic benefit. The following grade of importance was dedicated to the medieval and byzantine architecture, whose preservation was now explicitly recommended by Klenze. In fact, these were the only monuments considered able to ensure ‘the picturesque effect required for the character of a ruin’, according to the widespread reinstatement of the artefacts of the Middle Ages that occurred in Europe in the early nineteenth century. The top position of Klenze’s interests, quite unsurprisingly, was dedicated to the ancient sculptures and buildings, which not only represented a model of perfection to neoclassical European sensitivity, but also reintroduced the uncorrupted icon of the classical temples after Greece had been liberated from the Ottomans. It is clear, in this respect, that Leo von Klenze had a sort of unresolved inner conflict between the classical pureness that the neoclassical Bavarian culture advocated, and the ‘picturesque effect of the ruin’ that German Romanticism promoted in the same period. This conceptual and aesthetic inconsistency, most likely, arose doubts and misinterpretations among the archaeologists working on the

<sup>10</sup> ‘Wenn sie durch Erhaltung architektonischer Formen, Profile, Gesimse, Ornamente, plastischer Arbeiten oder Malereien noch einiges Interesse gewähren’. Klenze 1838, 394.

<sup>11</sup> ‘Zweckmäßige und malerische Art’; ‘damit diese den ihr von der Zeit aufgedrückten und unvermeidlichen Charakter einer malerischen Ruine nicht verliere’. Klenze 1838, 394.

Acropolis in the forthcoming restoration – or better, it would cause them issues in dealing with the instruction in the despatch.

In addition to this, it is significant to compare Klenze's *memorandum* to Maurer's law. The text of the *Edict on the scientific and artistic collections of the State* is also included in Maurer's volume *Das Griechische Volk in öffentlicher, kirchlicher und privatrechtlicher Beziehung vor und nach dem Freiheitskampfe bis zum 31. Juli 1834*, published in 1836.<sup>12</sup> An assessment of both the *memorandum* and the edict reveals that, apart from some minor conceptual nuances, the hierarchical classification defined by Klenze was essentially the same as that followed by Maurer in his legal constructs. Yet, despite that, Maurer appeared to be slightly more concerned about the well-being of classical antiquity and ancient monuments than Klenze. Article 61 of the edict declared that 'all the Antiquities discovered in Greece are Hellenic History, thus they are considered to be common national heritage of all the Hellenes', following an extremely inclusive idea of 'heritage' constructed on the historical significance of the artefacts, rather than on their aesthetic value.<sup>13</sup> The artistic productions of later epochs and styles, on the other hand, were mentioned only in the last article of the edict – article 111 –, which stated that: 'Even the objects which come from the time of the early Christian art, from the so-called Middle Ages, are not exempt from the provisions of this law'.<sup>14</sup> Besides the concise language, Maurer appeared to overlook a large portion of monuments and artefacts created during post-classical times: these can be identified specifically as the productions of the Venetian, the Frankish and the Renaissance period. It is not difficult to suppose that such a juridical gap was to raise questions and complications to the forthcoming works of restoration, particularly in combination with the inconsistencies of Klenze's *memorandum*. In due course, was the Renaissance castle to be preserved or not? Were the Venetian bastions to be preserved or not? Even more, was the majestic Frankish Tower to be preserved or not?

In 1837 the solution to overcome such a conceptual and legislative ambiguity finally appeared, and came from king Otto von Wittelsbach himself. By his own hand, he issued the decree concerning the protection of the historical remains that were not from 'antiquity': from that moment on, all the medieval, byzantine, Venetian and even Turkish monuments in the whole of Athens were safeguarded by law.<sup>15</sup> Consequently, as the preservation of any typology of monument in Athens was imposed both by a government edict and by a royal decree, it can be assumed that any ensuing infringement in this scenario was considered either illegitimate or punishable by law. However, what happened in the Acropolis between 1835 and 1875 was to respond to aesthetic concerns and political questions that – ultimately

<sup>12</sup> Maurer 1836, 283-302. For its Greek version see Petrakos 1982, 123-141.

<sup>13</sup> 'Alle in Griechenland aufgefundenen Antiquitäten sind als von den hellenischen Vorfahren herkommend, als gemeinsames Nationalgut aller Hellenen zu betrachten'. Maurer 1836, 293.

<sup>14</sup> 'Auch diejenigen Gegenstände, welche aus den frühern Zeiten der christlichen Kunst, nämlich aus dem so genannten Mittelalter herrühren, sind nicht ausgenommen von den Bestimmungen des gegenwärtigen Gesetzes'. Maurer 1836, 302.

<sup>15</sup> Papageorgiu-Venetas 1994, 424.



– did not fall into the framework of the edicts and the *memorandum* that we have examined in the previous pages.

On January 1835 the works of restoration started. The first superintendent for the Acropolis monuments was the German archaeologist Ludwig Ross (1806-1859). He started the operations of cleaning with the removal of the so called ‘barbarian’ structures, following faithfully Klenze’s prescriptions. First of all, he cleared away the Kasbah and all the Ottoman shacks covering the plateau; then he demolished some Venetian bastions in the Propylaea. During this phase, he discovered the original marbles that belonged to the ancient Temple of Athena Nike, reused in the bastions at the end of the seventeenth century, so he proceeded with the partial reconstruction of the small temple.<sup>16</sup> Afterwards, he collected what he believed ‘useless marbles’ and sold them as liming material, gaining the incredible sum of 20 thousand drachmas.<sup>17</sup>

However, Ross was soon removed from his position and replaced by the Greek Kyriakos Pittakis (1798-1863). Since the 1833, the massive presence of the Germans within archaeological administration had not met the favour of the Greek intellectuals and politicians, who engaged in strong resistance against the assignment of their ancient heritage to foreigners.<sup>18</sup> Growing Greek nationalism did not accept the Bavarian government either, and regarded it as a new regime comparable to the previous Ottoman Empire. As a result of the tensions within the archaeological offices, at the end of 1836 the control of the works in the Acropolis passed to Pittakis, a local nationalist who was also one of the firmest purists and most determined classicists in Greece at that time.<sup>19</sup> Classical monuments, in this phase, were regarded as symbols of independence and emancipation, as they embodied the peak of Greek culture under Pericles and Phidias. Pittakis started his mission by clearing the Propylaea:<sup>20</sup> he eliminated the rest of the fifteenth-century castle, the Ottoman vaults and the medieval pavements. In 1837, when the royal decree had already been issued, he moved on to the Erechtheion: disregarding the instructions he cleared away the Turkish harem, the storehouse and the Christian pavements, while he started to restore walls and missing columns in the porches. Between 1842 and 1845 he also carried out the first reconstruction of the Parthenon. Again, overlooking both the law and the *memorandum*, he demolished all the byzantine and medieval remains in the temple, and cleared away the small mosque in the middle of the peristyle. Afterwards he rebuilt the main naos and several columns in the peristyle, using both ancient marbles and modern red bricks where pieces were missing. Finally, he carried out the full reconstruction of the Temple of Athena Nike. However, his work was still not finished. In 1862, supported by the Greek Archaeological Society, he eliminated the last significant remains of the byzantine period on the Acropolis. Neglecting not only Klenze’s *memoranda*, but also

<sup>16</sup> Ross 1863; Casanaki and Mallouchou-Tufano 1986.

<sup>17</sup> ‘Unbrauchbarer Steine’. To understand the value of this achievement: in 1834 the fine prescribed for failing to report the discovery of new antiquities was 50 drachmas. Ross 1863, 83.

<sup>18</sup> Bastea 2000; Kokkou 1977.

<sup>19</sup> Petrakos 2013; Stoneman 1987.

<sup>20</sup> For accurate assessments and insights on Pittakis’ work on the Acropolis see in particular Bouras 1994; Casanaki and Mallouchou-Tufano 1986.



both Maurer's law and the royal decree, Pittakis demolished the large Christian apse that was at the east end of the Parthenon.

The last major circumvention of the prescriptions occurred in 1875, when the Frankish Tower in the Propylaea was demolished with the blessing of both the Greek Archaeological Society and a consortium of international archaeologists.<sup>21</sup> This final operation sanctioned the elimination of the last post-classical monument and visual icon in the Acropolis.

## Notes on the later Acropolis restoration

Before outlining some final remarks, few substantial aspects concerning the works of restoration carried out on the Acropolis in more recent years should be evaluated. The ancient temples were restored again by the Greek engineer Nikolaos Balanos (1860-1943) during the first half of the twentieth century. Between 1902 and 1909 he replaced the missing marbles on the Erechtheion; between 1909 and 1917 he carried out the same work in the Propylaea; in 1923 he started the so-called *anastylosis* of the Parthenon, aiming to fill the gaps in the outer peristyle and complete – in broad terms – the classical profile of the temple, using both ancient and new marbles [figg. 5 and 6].<sup>22</sup> During the 1930's he also completely dismantled and reassembled the Temple of Athena Nike.

However, the restoration process of the Acropolis temples had not ended. Less than thirty years later a new campaign of restoration started. Between 1978 and 1987 the Erechtheion was re-restored; in 1990 new works started in the Propylaea, and have been completed recently; in 1995 further operations began in the Parthenon, and are still in progress; between 2000 and 2010, the Temple of Athena Nike was dismantled and reassembled again for the third time.<sup>23</sup>

In this scenario, it is impossible not to agree that the Acropolis is the most important symbol of Greek classicism in the world, and it has to be protected and maintained as one of the few icons surviving from the peak of the Periclean classical age. On the other hand, however, it should also be considered that, at present day, the works of restoration on these temples have been in progress without any significant interruption for almost 200 years.<sup>24</sup> In this period of time the landscape of the Acropolis has been remodelled, reshaped, and redesigned according to an ideal of classicism that, arguably, derived not from the taste of the original Periclean age but principally from the taste and artistic perceptions of nineteenth-century culture. As

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<sup>21</sup> Pavan 1983.

<sup>22</sup> Balanos 1942; Mallouchou-Tufano 1998.

<sup>23</sup> There are several publications on the current works of restoration on the Acropolis. The most complete volumes are the *Studies for the Restoration* and the *Proceedings* of the international conferences organized by the Acropolis Restoration Service and the Greek Ministry of Culture: <https://www.ysma.gr/en/open-access/publications/scientific-publications/>.

<sup>24</sup> Regarding the recent works of restoration is interesting the comment of Beard 2006, 105-110.

has emerged in the discussion, the 2000 years since the fifth century BC – when the temples were built – and the year 1834 – when the first restoration started – had created a pastiche of later structures, architectures of different styles and epochs, Christian and Muslim buildings assembled over the ancient classical temples on the Acropolis. None of the later buildings has survived, as they were dismantled and removed between 1834 and 1875. Within these premises, the foremost question that arise both in a juridical and artistic perspective relates specifically to the cultural value and significance that we currently attribute to the monuments of different styles and epochs. For instance, have the recent works of restoration tried to find a solution or fill the gap created by the improper nineteenth-century demolitions of non-classical structures? Or, on the other hand, is there at work an aesthetic inclination that still favours classical art more than the artefacts of any other style and epoch?

Speculating on the analysis of the documents offered in the previous pages, if we accept that the works of restoration and reconstruction completed on the Acropolis in the nineteenth century were based on a circumvention of the laws and a blatant misreading of the *memorandum*, in which perspective should the current restorations be understood? If this was the case, it can be affirmed that the recent works have embraced the consequences of an older refurbishment that was not supported by a legal framework and a compelling theoretical foundation. Following this line of reasoning, it would also be possible to assert that what has been restored in more recent years is not the original classical profile of the Acropolis, built by Pericles, but its neoclassical re-elaboration shaped in 1800s, and its subsequent embellishment of the early 1900s. The ionic Temple of Athena Nike can be taken as a clear example of the ethical and aesthetic ambiguities that often occur in the field of restoration of ancient monuments. This little temple was completely removed from the plateau at the end of the seventeenth century, and its materials were reused, as mentioned, to build the bastions next to the Propylaea; it was fully reconstructed two centuries later, in the middle of the nineteenth century, following the information included in ancient sources [fig. 7]; afterwards, it was de-restored and re-restored in the first half of the twentieth century, during the works leaded by Balanos. Finally, it was again disassembled and reassembled at the beginning of the twenty-first century, following the most updated techniques of restoration and the latest research achievements [fig. 8]. The crucial uncertainty, in this case, concerns specifically the value of the concepts of ‘originality’ and ‘authenticity’ within the fields of archaeology and art history, as well as their related disciplines of legal history and theory. How far can a monument, like the Temple of Athena Nike, that was dismantled and reassembled three times in 150 years, and was not even in its place for more than two centuries, be considered an original ancient monument?

A similar, wider question involves the current character of the Acropolis, and the meaning of its ‘refashioned’ classical profile in relation to the juridical and artistic concerns on its authenticity after a two-century long restoration. Besides legitimate assumptions and critical insights, there remains a suspect behind any work of refurbishment, in particular of artefacts that were created in epochs so distant in time: it relates to how far can we go with our taste, rules and perceptions without shaping reinvented or fake antiquities.

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## Illustrations



Fig. 1) Félix Bonfils, *The Propylaea with the Frankish Tower*, photography, 1868-72.



Fig. 2) Carl-Friederich Werner, *Erechtheion and the Caryatid Porch*, watercolour, 1877.





Fig. 3) Pierre-Gustave Joly De Lotbinière, *Parthenon and the mosque*, daguerreotype, 1839.





Fig. 4) James Stuart and Nicholas Revett, *Parthenon and the Kasbah*, engraving in *The Antiquities of Athens*, 1762-94.

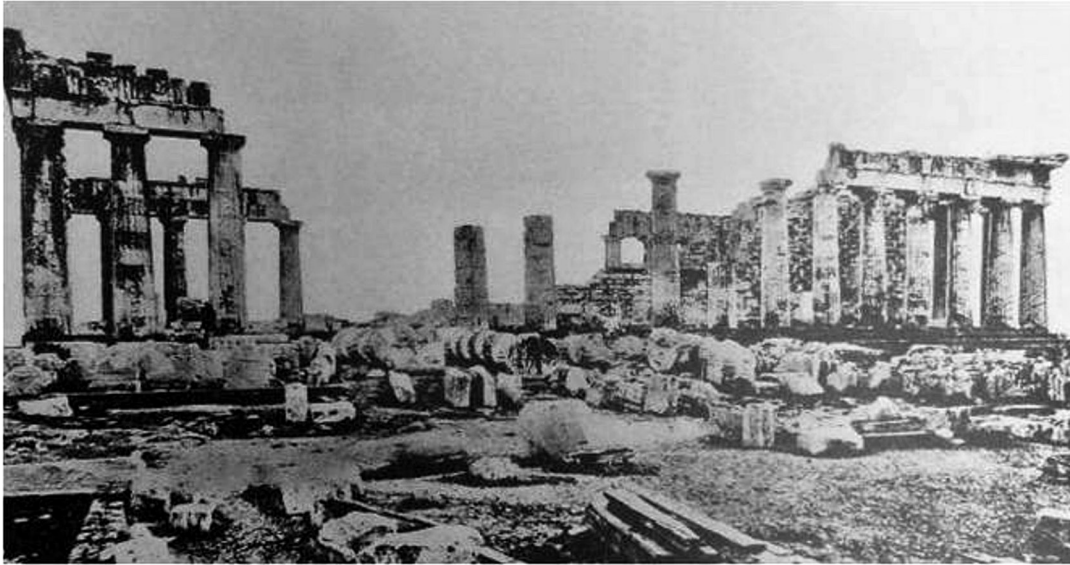


Fig. 5) Nicolaos Balanos, *Parthenon before the anastylosis*, photography in *Le monuments de l'Acropole: Relèvement et Conservation*, 1942.



Fig. 6) Nicolaos Balanos, *Parthenon after the anastylosis*, photography in *Le monuments de l'Acropole: Relèvement et Conservation*, 1942.



Fig. 7) Photo by the author, *Propylaea and the Temple of Athena Nike*, restoration, 2009.